

CHAPTER NO. 70

SENATE BILL NO. 194

By Cohen

Substituted for: House Bill No. 792

By Briley

AN ACT To amend Tennessee Code Annotated, Title 44, Chapter 17, Part 3, relative to destruction of dogs and cats.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 44, Chapter 17, Part 3, is amended by deleting the part in its entirety and by substituting instead the following:

Section 44-17-301. This part shall be known and may be cited as the "Non-livestock Animal Humane Death Act".

Section 44-17-302. The provisions of this part shall be applicable only to public and private agencies, animal shelters and other facilities operated for the collection, care and/or euthanasia of stray, neglected, abandoned or unwanted non-livestock animals.

Section 44-17-303.

(a) Sodium pentobarbital and such other agents as may be specifically approved by the rules of the board of veterinary medicine shall be the only methods used for euthanasia of non-livestock animals by public and private agencies, animal shelters and other facilities operated for the collection, care and/or euthanasia of stray, neglected, abandoned or unwanted non-livestock animals. A lethal solution shall be used in the following order of preference:

(1) Intravenous injection by hypodermic needle;

(2) Intraperitoneal injection by hypodermic needle;

(3) Intracardial injection by hypodermic needle, but only if performed on heavily sedated, anesthetized or comatose animals; or

(4) Solution or powder added to food.

(b) A non-livestock animal may be tranquilized with an approved and humane substance before euthanasia is performed.

(c) Succinylcholine chloride, curare, curariform mixtures, strychnine, nicotine, chloral hydrate, magnesium or potassium or any substance which acts as a neuromuscular blocking agent, or any chamber which causes a change in body oxygen may not be used on any non-livestock animal for the purpose of euthanasia. Any such chamber in use as of July 1, 2001, shall be phased out and shall not be used on or after July 1, 2002.

(d) Euthanasia shall be performed only by a licensed veterinarian, Tennessee veterinarian medical technician or an employee or agent of a public or private agency, animal shelter or other facility operated for the collection, care and/or euthanasia of stray, neglected, abandoned or unwanted non-livestock animals, provided that the Tennessee veterinarian medical technician, employee or agent has successfully completed a euthanasia-technician certification course. The curriculum for such course must be approved by the board of veterinary medical examiners and must include, at a minimum, knowledge of animal anatomy, behavior and physiology; animal restraint and handling as it pertains to euthanasia; the pharmacology, proper dosages, administration techniques of euthanasia solution, verification of death techniques, laws regulating the storage, security and accountability of euthanasia solutions; euthanasia technician stress management and the proper disposal of euthanized non-livestock animals.

(e) An employee, agent or Tennessee veterinarian medical technician performing euthanasia prior to July 1, 2001, who previously passed an approved euthanasia-technician certification course will be accepted as qualified under this act to perform euthanasia on non-livestock animals. Any other employee, agent or Tennessee veterinarian medical technician seeking to perform euthanasia on non-livestock animals on or after July 1, 2001, must obtain certification prior to performing any such euthanasia.

(f) A non-livestock animal may not be left unattended between the time euthanasia procedures are first begun and the time that death occurs, nor may its body be disposed of until a qualified person confirms death.

(g) Notwithstanding the provisions of this section or any other law to the contrary, whenever an emergency situation exists in the field which requires the immediate euthanasia of an injured, dangerous or severely diseased non-livestock animal, a law enforcement officer, a veterinarian, or agent of a local animal control unit or the designee of such an agent may humanely destroy the non-livestock animal.

(h) For purposes of this part, "non-livestock animal" shall have the meaning set forth in Tennessee Code Annotated, Section 39-14-201(3).

(i) The Attorney General may bring an action to enjoin any violation of this act.

(j) Any person who violates the provisions of this act is guilty of a Class A misdemeanor.

(k) The provisions of this act shall not apply to exotic animals being held under the authority of Title 70, Chapter 4, Part 4, and Rule 1660-1-18-.05 of the Official Compilation Rules and Regulations of the State of Tennessee.


SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or

applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

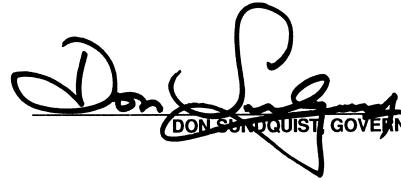
SECTION 3. This act shall take effect July 1, 2001, the public welfare requiring it.

PASSED: April 5, 2001


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 11th day of April 2001


DON SUNDQUIST, GOVERNOR